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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/615,663	07/14/2000	Rohit Khare	004962.P001	6238

7590

08/12/2005

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EXAMINER

HU, JINSONG

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/615,663

Applicant(s)

KHARE ET AL.

Examiner

Jinsong Hu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,6,10-12,16,25-27,32,36-38,42 and 77-92 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,6,10-12,16,25-27,32,36-38,42 and 77-92 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. Claims 1, 6, 10-12, 16, 25-27, 32, 36-38, 42 and 77-92 are presented for examination. Claim 1 has been amended.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 6 and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kamakura et al. (US 6,047,310).

4. As per claim 1, Kamakura teaches the invention as claimed including a method comprising:

monitoring and detecting publication of information [col. 5, lines 55-56; col. 7, lines 13-25];

organizing the detected information into a set of topics [Figs. 6-7; col. 8, lines 15-26];

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facilitating a user to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 16-20; s21-s24, Fig. 9];

routing information to the user based on the organization and subscription [col. 9, line 44 – line 12; col. 11, lines 16-41; col. 14, lines 34-57]; and

delivering the event to the user via the Internet immediately upon detection based on a subscription to a topic, wherein delivering the event to the user is not reply to a request from the user [col. 2, lines 49-54; col. 7, lines 26-30; col. 14, lines 34-57].

5. As per claim 6, Kamakura teaches organizing information into non-events, alerts, messages, queries, data, data contents, streams or queues [Fig. 6; col. 8, lines 15-26].

6. As per claims 11 and 12, Kamakura teaches facilitating a user to persistently subscribe to a web resource based on a universal source locator, emails address, a name or a location and to specify a level of interest in the web user [col. 8, lines 27-47].

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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8. Claims 10, 16, 25-27, 32, 36-38, 42 and 77-92 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamakura et al. (US 6,178,424 B1) as applied to claims 1, 6 and 11-12 above, in view of "Official Notice".

9. As per claims 10 and 83-84, Kamakura teaches the invention substantially as claimed in claim 1. Kamakura does not specifically teach organizing events based on URL. "Official Notice" is taken that both the concept and advantages of providing for URL is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include URL with Kamakura's system because it would make the organizing procedure less complicated.

10. As per claim 16, Kamakura teaches the invention substantially as claimed in claim 1. Additionally, Kamakura teaches the step of registering a user's device and establishing preferences for routing information to the user [col. 10, lines 30-38].

11. Kamakura does not specifically teach the user's device including a pager, cellular telephone etc. "Official Notice" is taken that both the concept and advantages of providing for pager, cellular telephone etc. devices are well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include pager, cellular telephone etc. devices with Kamakura's system because it would improve the capability of the system.

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12. As per claims 25 and 26, Kamakura teaches the invention substantially as claimed in claim 1. Kamakura does not specifically teach the client system having an embedded micro-server. "Official Notice" is taken that both the concept and advantages of providing for embedded micro-server is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include embedded micro-server with Kamakura's system because it would improve the performance of the entire system.

13. As per claims 27, 77-79, 82 and 85, Kamakura teaches the invention substantially as claimed including a method comprising:

monitoring and detecting publication of information [col. 5, lines 55-56; col. 7, lines 13-25];

organizing the detected information into at least one event and routing the event to a set of topics [Figs. 6-7; col. 8, lines 15-26; col. 9, line 44 – line 12; col. 11, lines 16-41; col. 14, lines 34-57];

facilitating at least one client to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 16-20; s21-s24, Fig. 9]; and

delivering the event via the network information to the client immediately upon detection based on a subscription to a topic, wherein delivering the event to the client is initiated by server, and wherein the client does not include a programmed request

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and/or a poll for the event [col. 2, lines 17-38; col. 10, lines 14-52 col. 14, lines 34-57; col. 18, line 59 – col. 19, line 10].

14. Kamakura does not specifically teach the network is Internet. “Official Notice” is taken that both the concept and advantages of providing for Internet is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include Internet with Kamakura’s system because it would increase the efficiency and reliability of the system.

15. As per claim 32, Kamakura teaches organizing information into non-events, alerts, messages, queries, data, data contents, streams or queues [Fig. 6; col. 8, lines 15-26].

16. As per claims 36-38, Kamakura teaches facilitating a user to persistently subscribe to a web resource based on a universal source locator, emails address, a name or a location and to specify a level of interest in the web user [col. 8, lines 27-47].

17. As per claims 42 and 80-81, Kamakura teaches the invention substantially as claimed in claim 27. Kamakura does not specifically teach the client system having an embedded micro-server. “Official Notice” is taken that both the concept and advantages of providing for embedded micro-server is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include embedded micro-

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server with Kamakura's system because it would improve the performance of the entire system.

18. As per claims 86-92, Kamakura teaches the invention substantially as claimed including a method comprising monitoring and detecting publication of information [col. 5, lines 55-56; col. 7, lines 13-25]; organizing the detected information into at least one event and routing the event to a set of topics [Figs. 6-7; col. 8, lines 15-26; col. 9, line 44 – line 12; col. 11, lines 16-41; col. 14, lines 34-57]; facilitating at least one client to persistently subscribe to information based on at least one topic selected from among the set of topics [col. 6, lines 16-20; s21-s24, Fig. 9]; and delivering the event via the network information to the user, wherein delivering the event to the user is not response to a request and/or poll for the event [col. 2, lines 17-38; col. 10, lines 14-52 col. 14, lines 34-57; col. 18, line 59 – col. 19, line 10].

19. Kamakura does not specifically teach the transmitting protocol is web protocol. "Official Notice" is taken that both the concept and advantages of providing for web protocol is well known and expected in the art. It would have been obvious to a person of ordinary skill in the art include web protocol with Kamakura's system because it would make the system more efficiency and reliable.

Conclusion

20. Applicant's arguments filed on 5/6/05 for claims 1, 6, 10-12, 16, 25-27, 32, 36-38,

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42 and 77-92 have been fully considered but they are not deemed to be persuasive.

In the remarks, applicant argued in substance that (1) Kamakura does not teach the step of monitoring and detecting publication of information in a network; (2) Kamakura does not teach the step of pseudo-synchronously delivering the information to the user on a client system; (3) Kamakura does not teach the step of delivering the event to the user via the Internet immediately upon detection based on a subscription to a topic, wherein delivering the event to the user is not reply to a request from the user; (4) 103 (a) rejection is improper; (5) claims 86-92 should not be grouped in a common rejection; (6) the concept of Micro-server is not a common knowledge.

21. Examiner respectfully traverses applicant's remarks:

A. As to point (1), applicant fails to consider the teaching of the Kamakura's reference for receiving the profile information and advertisement document from the provider 14 by the distribution host computer 11 [Fig. 5; col. 7, lines 13-25], in the other words, the distribution host computer [i.e., "server" in the application] obtaining the advertise information in a network at any time without any requesting. Thus, Kamakura teaches the step of monitoring and detecting publication of information in a network.

b. As to point (2), applicant fails to consider the teaching of the Kamakura's reference for distributing the advertisement document to the receiver by the distribution host server once the information has been received from the provider [Fig. 5; col. 7, lines 26-30]. Thus, Kamakura teaches the step of pseudo-synchronously delivering the information to the user on a client system.

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c. As to point (3), applicant fails to consider the teaching of the Kamakura's reference for storing the profiles for both user and provider, then distributing the advertisement document to the user based on user's interest and the predetermined format, in the contrast to the applicant's argument, this distribution procedure is not requested by the user, it is demanded by the provider [Figs. 4-5]. Thus, Kamakura teaches the step of delivering the event to the user via the Internet immediately upon detection based on a subscription to a topic, wherein delivering the event to the user is not reply to a request from the user.

d. As to point (4), the 103(a) rejections for the claims 10, 16, 25-27, 32, 36-38, 42 and 77-92 are based on the combination of prior art and well-known concepts, the combinations are obvious to a person with ordinary skill in the art and logically implemented. Thus, the 103(a) rejection is proper.

e. As to points (5)-(6), the limitations in claims 87-91 were covered by the limitations of claim 86; claim 92 discloses the same limitations as claim 86 except micro-server, and micro-server is common knowledge in the art [see col.15-col. 16 of US patent 6,112,246, which is cited by Examiner on 892 form with this office action]. Thus, claims 86-92 can be grouped in common rejections.

Accordingly, Kamakura is still a relevant prior art.

22. Accordingly, THIS ACTION IS MADE FINAL. See MPEP §706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

23. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

24. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jinsong Hu whose telephone number is (571) 272-3965. The examiner can normally be reached on 8:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A. Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

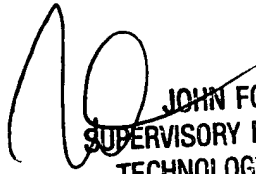
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jinsong Hu

August 5, 2005


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